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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/257,064	02/25/1999	TOSHIO ABE	35.C13352	1680

5514 7590 09/26/2003

FITZPATRICK CELLA HARPER & SCINTO
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NEW YORK, NY 10112

EXAMINER

LAMB, TWYLER MARIE

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 09/26/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/257,064

Applicant(s)

ABE ET AL.

Examiner

Twyler M. Lamb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 133, 134, 140, 151, 152, 158, 169-172, 174, 192-194, 196 and 214 is/are allowed.
- 6) ☒ Claim(s) 1, 31 and 61 is/are rejected.
- 7) ☒ Claim(s) 2-5, 8, 12, 16, 20, 23, 25, 27, 29, 32-35, 38, 42, 46, 50, 53, 55, 57 and 59 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6, 8. 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims pending in the application are 1-5,8,12,16,20,23,25,27,29,31-35,38,42,46,50,53,55,57,59,61,133,134,140,151,152,158,169-172,174,192-194,196 and 214.

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DETAILED ACTION

Election/Restrictions

1. Claims 66-132 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected Group II and nonelected Group III, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 9 {Response to Restriction Requirement}.

Further Cancellation of Claims

2. In addition to claims 66-132 withdrawn due to election based on restriction requirement, claims 6, 7, 9-11, 13-15, 17-19, 21, 22, 24, 26, 28, 30, 36, 37, 39-41, 43-45, 47-49, 51, 52, 54, 56, 58, 60, 62-65, 135-139, 141-150, 153-157, 159-168, 173, 175-191, 195 and 197-213 have been canceled without prejudice or disclaimer of subject matter.

Claims Pending for Examination

3. Claims 1-5, 8, 12, 16, 20, 23, 25, 27, 29, 31-35, 38, 42, 46, 50, 53, 55, 57, 59, 61, 133, 134, 140, 151, 152, 158, 169-172, 174, 192-194, 196 and 214 are pending in this application.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claim 1, 31 and 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurosawa et al. (Kurosawa) (US 6,035,059).

With regard to claims 1, 31 and 61, Kawai discloses an information processing apparatus (Figure 1) comprising storage (buffer unit 3) for storing printing data to which a printing attribute has been added (col 4, lines 19-22); contour information extraction means (separation unit 2) for extracting contour information based on the printing attribute added to the printing data that are stored in said storage (col 4, lines 19-22); layout reference information setting means (character segmentation unit 5) for setting layout reference information based on the contour information, extracted by said contour information extracting means, the layout reference information being used as a reference when laying out the printing data (col 4, lines 25-29); and layout means (image processing unit 4) for laying out the printing data based on the layout reference information set by said layout reference information setting means (col 12, lines 35-44) .

Allowable Subject Matter

5. Claim 133, 134, 140, 151, 152, 158, 169-172, 174, 192-194, 196 and 214 allowed.

6. Claims 2-5, 8, 12, 16, 20, 23, 25, 27, 29, 32-35, 38, 42, 46, 50, 53, 55, 57 and 59 and objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6036 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

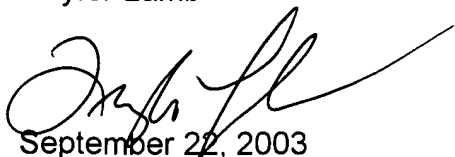
(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington, VA.
Sixth Floor (Receptionist)

Twyler Lamb



September 22, 2003